

U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON THE JUDICIARY

May 1, 2002

Help Protect Freelance Writers and Artists!
Cosponsor the “Freelance Writers and Artists Protection Act of 2002”

Dear Colleague:

I invite you to join me in helping freelance writers and artists by becoming an original cosponsor of the “Freelance Writers and Artists Protection Act of 2002.”

The advent of the Internet has created an entirely new market for the distribution of creative content, such as music, movies, news articles, and photographs. The desire for instant information has made it more important than ever to get that work out to millions of people quickly and to have the rights to the distribution of articles and graphics cleared immediately.

As we saw from last year’s *New York Times v. Tasini* case, however, the creators of information – freelance writers, illustrators, cartoonists, graphic designers, and photographers – have not shared in the benefits of this new market. Large media conglomerates often force creators to sign away the rights to their works through “take it or leave it” – or adhesion – contracts if they wish to have them published and distributed.

Individual writers and artists don’t stand a chance of negotiating favorable terms and fees when they must go up against media giants. And because many creators are not “employees” of the publishers, the antitrust laws forbid them from bargaining as a unit or even sharing information about the pricing of their work. Each freelancer must therefore go it alone and negotiate individually with the publishers who control the media outlets.

I believe that copyright protection should benefit individual creators – not only media corporations. To remedy the imbalances between the media giants and freelance creators, I will be introducing the “Freelance Writers and Artists Protection Act of 2002.”

This legislation gives freelance writers and artists an antitrust exemption so they can present a united front against the big media companies who have been forcing them to sign non-negotiable contracts that surrender all their rights. The bill makes it easier for freelancers to bargain fairly for their rights as a collective.

In addition, because of the speed and nature of the publishing industry, these same freelance writers and artists often do not have time to have their works protected under the copyright laws before the publications are printed. As a result, the creators may not receive relief under the copyright laws if their works are stolen. The bill remedies this by protecting the individual works when the publication receives copyright protection.

I hope this bill can be the start of productive discussions in the House and particularly in the Judiciary Committee about how we can enhance the power of freelance writers and artists and how we can protect their work.

If you would like to become an original cosponsor, or to receive additional information, please feel free to contact Sampak Garg or Cori Flam of my staff at x5-6906 by 4 PM on Thursday, May 2, 2002.

Sincerely,

John Conyers, Jr.
Ranking Member